

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
WESTERN DIVISION**

BRYANT ANTHONY BILLINGS,  
ADC #093957

Plaintiff,

v.

JOHNSON, Doctor,  
Pulaski County Jail; *et al.*

Defendants.

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No. 4:14CV00674-SWW

**ORDER**

The Court has reviewed the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge Joe J. Volpe and plaintiff's objections. After carefully considering the objections and making a *de novo* review of the record, the Court declines to adopt the Proposed Findings and Recommended Disposition. The Court finds plaintiff's objections are in effect an untimely response to the motion to summary judgment to dismiss his claims based on failure to exhaust. The Court directs the Magistrate Judge to reconsider the motion for summary judgment in light of plaintiff's objections.

DATED this 20<sup>th</sup> day of January, 2016.

/s/Susan Webber Wright

UNITED STATES DISTRICT JUDGE